

# JOURNAL OF THE SENATE

Monday, May 17, 1937

The Senate convened at 11:00 o'clock A. M. pursuant to adjournment on Saturday, May 15, 1937.

The President in the Chair.

The roll was called and the following Senators answered to their names:

Mr. President; Senators Adams, Beacham, Beall, Butler, Clarke, Coulter, Dame, Dugger, Gomez, Graham, Harper, Hinely, Hodges, Holland, Johns, Kanner, Kelly, Kendrick, McArthur, McKenzie, Mapoles, Murphy, Nordman, Parker, Parrish, Rose, Savage, Sharit, Smith, Sweger, Tervin, Tillman, Touchton, Walker, Westbrook, Wynn—37.

A quorum present.

Senator Black was excused from attendance upon the Session on account of illness.

Prayer by the Chaplain.

The Journal of May 13, 1937, was further corrected as follows:

Page 31, column 2, line 20, strike out the figures 1:04 and insert in lieu thereof the figures 5:41.

And as further corrected was approved.

The Journal of May 14, 1937, was further corrected as follows:

Page 10, column 1, line 22, insert the following: "And Senate Bill No. 115 was read the third time in full."

And as further corrected was approved.

The reading of the Journal of May 15, 1937, was dispensed with.

The Journal of May 15, 1937, was corrected and as corrected was approved.

## REPORT OF ENROLLING COMMITTEE

Senator McKenzie, Chairman of the Joint Committee on Enrolled Bills on the part of the Senate, submitted the following report:

Senate Chamber,  
Tallahassee, Fla., May 17, 1937.

Hon. D. Stuart Gillis,  
President of the Senate.  
Sir:

Your Joint Committee on Enrolled Bills, to whom was referred:

House Bill No. 280:

A bill to be entitled An Act fixing and determining the salaries, compensations and traveling expenses of the members of the Board of Public Instruction for counties of the State of Florida having a population of not less than 13,620, nor more than 13,891, according to the last State Census and fixing the time from which said compensation shall be payable.

Also—

House Bill No. 353:

A bill to be entitled An Act providing for the establishment of the office of County Coroner in counties in the State of Florida having a population of more than 170,000 according to the last Federal or State Census; specifying his appointment, qualifications, compensation, term of office, duties, powers and authority; providing for specific duties of the State Attorney in connection therewith, repealing all laws in conflict therewith.

Also—

House Bill No. 365:

A bill to be entitled An Act designating a certain Road in Washington County as State Highway.

Also—

House Bill No. 386:

A bill to be entitled An Act to amend Sections 4 and 38 of Chapter 11,088, of the Laws of Florida, Acts of 1925,

being an Act entitled "An Act to abolish the present municipal government of the Town of Port Orange, Volusia County and State of Florida, and to establish, organize and constitute a municipality to be known and designated as the City of Port Orange in the County of Volusia and State of Florida, and to define its territorial boundaries and provide for its jurisdiction, powers and privileges" as said Chapter 11,088, Laws of Florida, Acts of 1925 is amended by Chapter 16,637, Laws of Florida, Acts of 1933, and Chapter 16,638, Laws of Florida, Acts of 1933, and Chapter 16,639, Laws of Florida, Acts of 1933.

Also—

House Bill No. 567:

A bill to be entitled An Act relating to commissions of County Assessors of Taxes assessing special taxes and special tax district taxes in certain counties of the State of Florida providing for the relief of such Tax Assessors of all liability for the payment of commissions received for the assessments of special taxes and special tax district taxes in counties having a population of not less than twenty-three thousand and fifty and not more than twenty-three thousand five hundred according to the State Census for the year Nineteen Hundred and Thirty-five.

Also—

House Bill No. 789:

A bill to be entitled An Act to designate and establish a certain State Road in Manatee and Sarasota Counties, Florida, known as the old Manatee-Sarasota Road.

Also—

House Bill No. 810:

A bill to be entitled An Act to declare, designate and establish a certain State Road in Hendry County, Florida.

Also—

House Bill No. 813:

A bill to be entitled An Act to enable the City of Tarpon Springs, Pinellas County, Florida, to adopt Zoning Regulations and to enforce the same, and providing for the creation of a Zoning Commission and a Board of Adjustment and prescribing their powers and duties.

Also—

House Bill No. 857:

A bill to be entitled An Act relating to the levying and assessing of taxes for the year 1934 for outstanding bonded indebtedness in Collier County, Florida; invalidating the action of the Board of County Commissioners insofar as it relates to certain portions of said levy; directing the Clerk of the Circuit Court to make refunds of moneys paid on such invalidated levy; directing the Clerk of the Circuit Court to cancel certain Tax Sale Certificates issued on non-payment of such levy; directing the Clerk of the Circuit Court to void certain items on the error and insolvency list; declaring null and void certain liens; directing the Clerk of the Circuit Court and the Comptroller of the State of Florida to make suitable entries relative to such refunds or the removal of tax liens; directing the Board of County Commissioners to provide for all expenses for carrying out the provisions of this Act; providing for the payment to the Clerk of the Circuit Court, the Tax Collector and the State Comptroller certain sums in payment of work performed or to be performed by them in carrying out the provisions of this Act or relative to said invalidated levy.

Also—

House Bill No. 938:

A bill to be entitled An Act amending Section 1, Article 4, Chapter 5864, Laws of Florida 1907, relating to the members of the City Council of the City of Wauchula.

Also—

House Bill No. 942:

A bill to be entitled An Act authorizing and empowering the Board of County Commissioners of Hardee County to cancel and/or destroy any bonds, interest coupons, delinquent interest coupons, or other obligations of the County of Hardee or any Special Road and Bridge District, or districts therein, which have been received and accepted in the payment and discharge of taxes due to the County of Hardee, or any such Special Road and Bridge Districts.

Also—

House Bill No. 995:

A bill to be entitled An Act to prohibit and make it unlawful for live stock to run and roam at large within certain territorial limits of Highlands County, Florida; to provide for the impounding and sale of said live stock when found running and roaming at large in violation of this Act, and to provide for the recovery of damages suffered by persons or property by reason thereof.

Also—

House Bill No. 1017:

A bill to be entitled An Act relating to Clewiston Drainage District, a drainage district organized and existing under the Laws of Florida, and embracing land within Hendry County; creating certain funds for the monies of the district and providing for what purposes such funds may be expended; providing for the levy, assessment and collection of annual taxes and assessments; ratifying, confirming and validating certain Acts of the Board of Supervisors, agents and officers of the district; cancelling and annulling certain annual taxes and assessments heretofore levied for said district and the liens representing such taxes and assessments; and authorizing the issuance of bonds for the purpose of refunding the existing indebtedness of the district and providing procedure therefor.

Also—

House Bill No. 1029:

A bill to be entitled An Act to ratify, validate and confirm the acceptance of bonds, interest coupons and other obligations in payment and redemption of taxes in Glades County, Florida; to validate, confirm and ratify all Acts heretofore taken, had and done by the various county officials of said county, in such acceptance, and in the cancellation of such bonds, interest coupons and other obligations; and to provide for the cancellation of such bonds, interest coupons, and other obligations, where the same have not already been cancelled.

Also—

House Bill No. 1079:

A bill to be entitled An Act authorizing Gulf County, Florida, to acquire the right-of-way for and construct and maintain a canal connecting St. Joseph's Bay and the Apalachicola-St. Andrews Inter-Coastal Canal in said county, and to issue bonds for that purpose; providing for an election to determine whether said bonds shall be issued or not; authorizing the Board of County Commissioners of said county to enter into contracts with the United States of America or any agency or branch thereof for the purpose of securing funds for, or the assistance in, the acquisition of such right-of-way or the construction or maintenance of said canal, or the refund of any sums which may have been expended therefor; and authorizing said board to transfer said canal or the right-of-way therefor or any part thereof to the United States of America or any agency or branch thereof at any time.

Also—

House Bill No. 1137:

A bill to be entitled An Act to amend Section 62 of the City Charter of the City of Winter Haven, Florida, and the same being Chapter 11299, Laws of Florida, Special Acts of 1925, entitled "An Act to validate and legalize an election held in and for the City of Winter Haven on the 27th day of November, A. D. 1923; to validate and legalize the charter of the City of Winter Haven, which was adopted by the electors of said city at said election held on the 27th day of November, A. D. 1923; and to validate and legalize all contracts, municipal assessments, ordinances and resolutions, appointments and election of officers, and all other acts which have been done under and by virtue of said charter, and providing a form and method of government for said City of Winter Haven"; to provide for the levying of taxes for certain purposes.

Also—

House Bill No. 1150:

A bill to be entitled An Act to provide for the re-registration of all voters, for all elections to be held in the year of 1938, and subsequent years thereafter in the County of Calhoun, and providing that the registration of voters heretofore had, shall be null and void and of no effect after January second, 1938, and providing for the time to apply for re-registration in said county and providing fee which the registration officers shall receive

Have examined the same and find them correctly enrolled.

The same having been duly signed by the Speaker and Chief Clerk of the House of Representatives, we herewith present the same for the signature of the President and Secretary of the Senate.

Very respectfully,

H. S. McKENZIE,

Chairman of the Joint Committee on Enrolled Bills on the Part of the Senate.

The bills contained in the above report were thereupon duly signed by the President and Secretary of the Senate in open session and ordered referred to the Joint Committee on Enrolled Bills on the part of the Senate, to be conveyed to the Governor for his approval.

Senator McKenzie, Chairman of the Joint Committee on Enrolled Bills on the part of the Senate, submitted the following report:

Senate Chamber,  
Tallahassee, Fla., May 17, 1937.

Hon. D. Stuart Gillis,  
President of the Senate.

Sir:

Your Joint Committee on Enrolled Bills, to whom was referred:

Senate Bill No. 49:

A bill to be entitled An Act for the relief of Mrs. Lottie Largue, of Pensacola, Escambia County, Florida.

Also—

Senate Bill No. 136:

A bill to be entitled An Act to abolish the present municipal government of the City of Lake Helen, in Volusia County, Florida, and to create, establish and organize a municipality to be known and designated as the City of Lake Helen, and to define its territorial boundaries and provide for its government, jurisdiction, powers, franchises and privileges.

Also—

Senate Bill No. 320:

A bill to be entitled An Act relating to commissions of County Assessors for Taxes for assessing special taxes and special tax district taxes in counties having a population between 13,354 and 13,400.

Also—

Senate Bill No. 397:

A bill to be entitled An Act relating to the compensation of the Clerk of the Circuit Court for services performed in suits or proceedings before the Circuit Court in all counties of the State of Florida having a population of not less than Fifty-Eight Thousand and not more than One Hundred Thousand according to the last or any future official State census.

Also—

Senate Bill No. 524:

A bill to be entitled An Act authorizing the City of St. Augustine, Florida, to collect current, unpaid or omitted taxes and unredeemed Tax Certificates, and providing and prescribing the method and manner of collecting same.

Also—

Senate Bill No. 542:

A bill to be entitled An Act repealing Section 101 of the City Charter of the City of St. Augustine, Florida, the same being Article 5, Section 21 of Chapter 13,349, of the Laws of Florida, A. D. 1927, the same being amended by Section 21 of Chapter 14,375 of the Laws of Florida, A. D. 1929; and to create a new Section 101 of said City Charter of the City

of St. Augustine, Florida, by establishing, creating and providing for the position and office of the city tax assessor of the City of St. Augustine, Florida; and amending Section 95 of the City Charter, being Section 17 of Chapter 14,375, of the Laws of Florida, A. D., 1929, as amended by Section 2 of Chapter 16,657 of the Laws of Florida, A. D., 1933; and amending Sections 102, 103, 104, 107, 108, 109, 114, 116, 117, 119, 134, 135, 136, 138 and 141 of Chapter 14,375 of the Laws of Florida, A. D., 1929; and amending Section 129 of the said City Charter, being Section 45, Chapter 14,375 of the Laws of Florida, A. D. 1929 as amended by Section 5 of Chapter 15,500 of the Laws of Florida, A. D. 1931.

Also—

Senate Bill No. 543:

A bill to be entitled An Act authorizing the creation of a Municipal Delinquent Special Assessment Board in the City of St. Augustine, Florida; prescribing their powers, duties and limitations; prescribing the length of time such board shall stay in existence; providing for a chairman and secretary and authorizing said board to adjust, settle and compromise special assessments.

Also—

Senate Bill No. 569:

A bill to be entitled An Act to authorize, ratify, confirm and validate the dredging of a ship channel in St. Joseph's Bay within the City of Port St. Joe, Florida, by said city and the issuance for that purpose of certain bonds of said city.

Also—

Senate Bill No. 570:

A bill to be entitled An Act to authorize, ratify, confirm and validate the purchase, ownership, holding, operating, leasing, selling or otherwise disposing of a dock by the City of Port St. Joe, Florida, and the issuance for that purpose of the purchase thereof of certain bonds of said city.

Also—

Senate Bill No. 571:

A bill to be entitled An Act to authorize and empower the City of Port St. Joe, Florida, to issue bonds of said city in a principal amount not in excess of two hundred fifty thousand dollars (\$250,000) for the purpose of retiring water and sewer revenue debentures of said City of Port St. Joe in the amount of two hundred thousand dollars (\$200,000), and for the purpose of completing and extending the water-works and sewer system of said City of Port St. Joe, and to provide the manner of the execution and sale of said bonds and to provide for the payment thereof and providing for an election to determine whether said bonds shall be issued or not.

Also—

Senate Bill No. 572:

A bill to be entitled An Act authorizing Gulf County, Florida, to acquire the right-of-way for and construct and maintain a canal connecting St. Joseph's Bay and the Apalachicola-St. Andrews Inter-Coastal Canal in said county, and to issue bonds for that purpose; providing for an election to determine whether said bonds shall be issued or not; authorizing the Board of County Commissioners of said county to enter into contracts with the United States of America or any agency or branch thereof for the purpose of securing funds for, or assistance in, the acquisition of such right-of-way or the Construction or Maintenance of said canal, or the refund of any sums which may have been expended therefor; and authorizing said board to transfer said canal or the right-of-way therefor or any part thereof to the United States of America or any agency or branch thereof at any time.

Also—

Senate Bill No. 582:

A bill to be entitled An Act amending Section 3 of the Revised Charter of the City of Tampa, Florida, and creating the office of Chief of Detectives of the City of Tampa, Florida.

Also—

Senate Bill No. 588:

A bill to be entitled An Act to empower the Board of County Commissioners in any county having a population of not less than 180,000, according to the last preceding State Census to regulate and restrict within territory in said counties, not included in any municipality, the height, number of

stories and size of buildings and other structures on land and water, the percentage of lot that may be occupied, the size of yards, courts and other open spaces, the density of population, the use of land for junk yards and automobile trailer camps and the location and use of buildings, structures and land for trade, industry, residence or other specific use of the premises; providing for the division of such counties into districts and within such districts to regulate and restrict the erection and construction, alteration, repair or use of buildings; providing for method of procedure; providing for the appointment of a Zoning Commission and a Board of Adjustment; providing for remedies and penalties for violation of this Act or of any order or resolution made under authority conferred hereby and conferring upon the County Commissioners of such county so far as may be lawfully conferred the power to prescribe and enforce regulations to effectuate the purposes of this Act.

Also—

Senate Bill No. 620:

A bill to be entitled An Act relating to Pelican Lake Sub-Drainage District, a drainage district organized and existing under the Laws of Florida, and embracing lands within Palm Beach County; declaring the existence of said district and validating the creation thereof, declaring its boundaries and providing for its perpetual existence; authorizing the construction of certain improvements and the making of repairs to existing works; creating a unit within said district to be known as Unit No. 1, creating certain funds for the monies of the District and Unit No. 1 thereof and providing for what purposes such funds may be expended; providing for the levy, assessment and collection of annual taxes and assessments; ratifying, confirming and validating certain Acts of the Board of Supervisors, Agents, Receivers and Officers of the District; cancelling and annulling certain annual taxes and assessments heretofore levied for said district and said Unit No. 1 thereof and the liens representing such taxes and assessments; and authorizing the issuance of bonds for the purpose of refunding the existing indebtedness of the District and Unit No. 1 thereof and providing procedure therefor.

Also—

Senate Bill No. 621:

A bill to be entitled An Act relating to Pahokee Drainage District, a drainage district organized and existing under the Laws of Florida and embracing lands within Palm Beach County and relating to the East Unit and West Unit of said District; amending Sections 4, 5, and 6 of Chapter 13715, Laws of Florida, Acts of 1929, relating to Pahokee Drainage District; creating certain funds for the monies of the district and the East and West Units thereof and providing for what purposes such funds may be expended; providing for the levy, assessment, and collection of annual taxes and assessments; ratifying, confirming and validating certain Acts of the Board of Supervisors, agents, receivers, and officers of the district; cancelling and annulling certain annual taxes and assessments heretofore levied for said district and the East and West Units thereof and the liens representing such taxes and assessments; and authorizing the issuance of bonds for the purpose of refunding the existing indebtedness of the district and the East Unit of the district and providing procedure therefor.

Also—

Senate Bill No. 631:

A bill to be entitled An Act enlarging the Charter powers of the Town of Largo, a municipal corporation, located in Pinellas County, Florida.

Also—

Senate Bill No. 640:

A bill to be entitled An Act ratifying, confirming, validating and legalizing the assessments, valuations of properties and levies of taxes made by the Town of Crescent City, Putnam County, Florida, for the year, A. D. 1926, 1927, 1928, 1929, 1930, 1931, 1932, 1933, 1934 and 1935, and authorizing the collection of said taxes in the manner provided by law.

Also—

Senate Bill No. 645:

A bill to be entitled An Act to authorize the Board of County Commissioners of Lake County to borrow in anticipation of tax collections; providing the maximum amount of money that may be borrowed in any one year and the maximum amount of interest that may be paid thereon.

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Also—

Senate Bill No. 646:

A bill to be entitled An Act to provide for the disposition of funds received by Gulf County from race track funds received under the provisions of Chapter 14832, Laws of Florida, Acts of 1931, or any Acts amendatory or supplementary thereto, or any other race track Acts.

Also—

Senate Bill No. 773:

A bill to be entitled An Act to prohibit the erection, maintenance or operation of any filling station, public garage, restaurant, mercantile establishment, or any business enterprise or establishment of any nature or character whatsoever, or any billboard, commercial sign or any signs of any nature whatsoever except direction signs, within 330 feet of the street line on either side of that portion of Sanctuary Boulevard, Lake Wales, Florida, to-wit: Beginning at the intersection of Lake Shore Boulevard and North Boulevard at the southwest corner of the Athletic Park, and running thence in an easterly direction along said Lake Shore Boulevard to Tenth Street, thence north along Tenth Street north, to the North line of the Seaboard Airline Railroad right of way, thence in a northeasterly direction to North Avenue, thence north to the north city limits; and to prohibit the erection of any billboards, commercial signs or any signs of any nature whatsoever except direction signs and signs advertising the business or businesses on the premises where such business or businesses are located, for 330 feet of the street line on either side of that portion of said Sanctuary Boulevard, to-wit: Beginning at the intersection of Lake Shore Boulevard and North Boulevard at southwest corner of the Athletic Park and run thence along Lake Shore Boulevard to Park Avenue, thence south to Central Avenue, thence west along Central Avenue to Walker Street, thence in a westerly direction along West Sanctuary Boulevard to west city limits and to declare the same to be a nuisance and against the public welfare of the City of Lake Wales; and providing a penalty for violation thereof.

Also—

Senate Bill No. 774:

A bill to be entitled An Act authorizing the Boards of County Commissioners of the several counties under certain conditions to act as Trustees of the Capital Stock of Corporations engaged in the operation of hospitals; prescribing the conditions under which they may act as trustees, permitting the creation of such trusts and establishing the validity thereof.

Have examined the same and find them correctly enrolled.

The same having been duly signed by the Speaker and Chief Clerk of the House of Representatives, we herewith present the same for the signature of the President and Secretary of the Senate.

Very respectfully,

H. S. McKenzie,

Chairman of the Joint Committee on Enrolled Bills on the Part of the Senate.

The bills contained in the above report were thereupon duly signed by the President and Secretary of the Senate in open session and ordered referred to the Joint Committee on Enrolled Bills on the part of the Senate, to be conveyed to the Governor for his approval.

Senator Kanner moved that Committee Substitute for House Bill No. 72 be recalled from the Committee on Judiciary "A" and placed on the Calendar of Bills on second reading.

Which was agreed to and it was so ordered.

### INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

By Senator Tillman—

Senate Bill No. 869:

A bill to be entitled An Act to cancel State and county tax certificates issued to the State Treasurer against lot 5, block 23 of West Hyde Park subdivision, a subdivision of Hillsborough County, Florida, according to plat thereof as the same is recorded in plat book 3, on page 26, public records of Hillsborough County, Florida, and to relieve the Children's Home, a charitable institution, from the payment of taxes for the years 1933, 1934 and 1935.

Which was read the first time by title only and placed on the Calendar of Local Bills on second reading.

By Senator Kelly—

Senate Bill No. 870:

A bill to be entitled An Act fixing the salaries of official court reporters of the Circuit Courts in the various Judicial Circuits of the State of Florida.

Which was read the first time by title only and referred to the Committee on Appropriations.

By Senator Touchton—

Senate Bill No. 871:

A bill to be entitled An Act to regulate the sale, possession, prescribing and dispensing certain hypnotic drugs, providing certain exceptions, providing for its enforcement and penalties for violations thereof.

Which was read the first time by title only and referred to the Committee on Public Health.

By Senator Kendrick—

Senate Bill No. 872:

A bill to be entitled An Act amending Section 129, of the City Charter of the City of St. Augustine, Florida, being Section 45 of Chapter 14375 of the Laws of Florida, A. D. 1929, as amended by Section 5 of Chapter 15500 of the Laws of Florida, A. D. 1931, and as amended by Section 20 of an Act of the Legislature, A. D. 1937, known as Senate Bill 542; and amending Section 124 of the City Charter of the City of St. Augustine, Florida, as amended by Section 4 of Chapter 15500 of the Laws of Florida, A. D. 1931, and as amended by Section 4 of Chapter 16657 of the Laws of Florida, A. D. 1933; and by adding Section 114-B to the City Charter of the City of St. Augustine, Florida; and which said sections provide for the amending of said city charter, dispensing with the fee of fifty cents for the City Treasurer and Collector for the redemption of tax certificates and the fee of the City Treasurer and Collector in reference to the issuance of tax deeds; and provides that the tax sale list shall be published one time only in a newspaper published in the City of St. Augustine, Florida; and provides that lands sold to the city and made the subject of tax certificates shall be placed upon the assessment roll but that the taxes are not extended and said land shall not be advertised for sale until redeemed and placed back upon the assessment roll; and for other purposes.

The following proof of publication was attached to Senate Bill No. 872 when it was introduced in the Senate:

### COPY OF ADVERTISEMENT

Notice to the public of a proposed law to be introduced at the present Session of the Legislature of the State of Florida, A. D. 1937.

Notice is hereby given that the City of St. Augustine, Florida, a municipal corporation, intends to apply to the Legislature of the State of Florida, A. D. 1937, at Tallahassee, Florida, for, and proposes to have introduced, legislation amending the City Charter of the City of St. Augustine, Florida, by An Act to be known as: "An Act amending Section 129 of the City Charter of the City of St. Augustine, Florida, being Section 45 of Chapter 14375 of the Laws of Florida, A. D. 1933; and by adding Section 114-B to the City of the Laws of Florida, A. D. 1931, and as amended by Section 20 of An Act of the Legislature, A. D. 1937, known as Senate Bill 542; and amending Section 124 of the City Charter of the City of St. Augustine, Florida, as amended by Section 4 of Chapter 15500 of the Laws of Florida, A. D. 1931, and as amended by Section 4 of Chapter 16657 of the Laws of Florida, A. D. 1933; and by adding Section 114-B to the City Charter of the City of St. Augustine, Florida; and which said sections provide for the amending of said City Charter, dispensing with the fee of fifty cents for the city treasurer and collector for the redemption of tax certificates and the fee of the city treasurer and collector in reference to the issuance of tax deeds, and provides that the tax sale list shall be published one time only in a newspaper published in the City of St. Augustine, Florida, and provides that lands sold to the city and made the subject of tax certificates shall be placed upon the assessment roll but that the taxes are not extended and said land shall not be advertised for sale until redeemed and placed back upon the assessment roll and for other purposes."

The substance of this Act is that it makes the following changes in the City Charter:

In that it dispenses with the fee of fifty cents for the city

treasurer and collector for redemption of tax certificates and the fees of the city treasurer and collector in reference to the issuance of tax deeds and provides that the tax sale list of lands or properties to be sold for taxes is to be published one time only in a newspaper published in the City of St. Augustine, Florida, and that lands and properties that have been sold for taxes and have become the subject of a tax certificate shall not be published each year and sold each year in the list of property to be sold for taxes but that it is to be placed upon the assessment roll each year and when the property is finally redeemed, it shall be placed in full in its original place.

A copy of this proposed Act which is to be introduced in the Legislature as aforesaid, is on file in the office of the city auditor and clerk of the City of St. Augustine, Florida, and may be examined by any one interested.

City of St. Augustine, Florida, by its city commission, its governing body.

WALTER B. FRASER, Mayor-Commissioner.

Attest:

CHAS. E. KETTLE,  
City Auditor and Clerk

STATE OF FLORIDA )  
COUNTY OF ST. JOHNS ) ss:

Personally appeared before me, a Notary Public for the State of Florida at large, I. Van Dillen who deposes and says that he is business manager of the St. Augustine Record, a daily newspaper printed in the English language and of general circulation, published in the City of St. Augustine, in said County and State; and that the attached order, notice, publication and/or advertisement of Notice to The Public Of A Proposed Law to Be Introduced At The Present Session of The Legislature Of The State Of Florida, A. D., 1937, was published in said newspaper May 13, 1937 for a period of one insertion, beginning May 13, 1937 and ending May 13, 1937, said publication being made on the following dates: May 13, 1937.

And deponent further says that the St. Augustine Record has been continuously published as a daily newspaper except Saturdays, and has been entered as second class mail matter at the post office in the City of St. Augustine, St. Johns County, Florida, each for a period of more than one year next preceding the date of the first publication of the above described order, notice, publication and/or advertisement.

I. VAN DILLEN, Business Manager.

Subscribed and sworn to before me this 13th day of May, A. D., 1937.

(Notarial Seal)

GLADYS STEVENS,

Notary Public, State of Florida at Large.

My Commission expires Feb. 15, 1941.

Which was read the first time by title only and placed on the Calendar of Local Bills on second reading.

By Senator Parker—

Senate Bill No. 873:

A bill to be entitled An Act relating to the licensing and taxing motor vehicles and all automobiles for private use weighing not less than two thousand (2,000) pounds and not more than thirty-one hundred (3,100) pounds, and pick-up trucks for private use of weight not more than three thousand (3,000) pounds.

Which was read the first time by title only.

Senator Parker moved that the rules be waived and Senate Bill No. 873 be read the second time in full.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 873 was read the second time in full.

Senator Parker moved that the rules be further waived and Senate Bill No. 873 be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 873 was read the third time in full.

Upon the passage of the bill the roll was called and the vote was:

Yeas—Mr. President; Senators Beacham, Beall, Clarke, Coulter, Dame, Gomez, Graham, Harper, Hinely, Hodges, Holland, Johns, Kanner, Kelly, Kendrick, McArthur, McKenzie, Mapoles, Nordman, Parker, Parrish, Rose, Savage, Sharit, Smith, Sweger, Tervin, Tillman, Touchton, Walker, Westbrook, Wynn—33.

Nays—None.

So the bill passed, title as stated, and the action of the

Senate was ordered to be certified to the House of Representatives.

By unanimous consent Senator Parker withdraw Senate Bill No. 535.

By Senator Tillman—

Senate Bill No. 874:

A bill to be entitled An Act authorizing the City of Tampa to sell certain refunding bonds at private sale.

Which was read the first time by title only and placed on the Calendar of Local Bills on second reading.

By Senator Tillman—

Senate Bill No. 875:

A bill to be entitled An Act to provide for the cancellation of delinquent taxes levied and assessed by the State of Florida, and the County of Hillsborough against property now owned by the Florida Fundamental Bible Institute, a non-profit corporation of the City of Temple Terrace, Hillsborough County, Florida.

Which was read the first time by title only and referred to the Committee on Finance and Taxation.

By Senator Mapoles—

Senate Bill No. 876:

A bill to be entitled An Act for the relief of R. H. Brown in the matter of damage done to certain lands owned by him by the building of highways and requiring the Florida State Road Department to pay to the said R. H. Brown the sum of three hundred dollars.

Which was read the first time by title only and referred to the Committee on Pensions and Claims.

By Senator Murphy—

Senate Bill No. 877:

A bill to be entitled An Act to provide for the publication by the State of Florida of the Florida State Guide and other publications of the American Guide series; to provide for the distribution of the Florida State Guide and the manner in which it shall be distributed; and making appropriation for the printing thereof.

Which was read the first time by title only and referred to the Committee on Miscellaneous.

By Senator Nordman—

Senate Bill No. 878:

A bill to be entitled An Act relating to advertisement and issuance of insurance contracts containing an assessment clause, and providing for certain exemptions.

Which was read the first time by title only and referred to the Committee on Insurance.

By Senators Rose and Kanner—

Senate Bill No. 879:

A bill to be entitled An Act to declare, designate and establish State Road No. 3-A in Orange and Osceola Counties.

Which was read the first time by title only and referred to the Committee on Public Roads and Highways.

#### CONSIDERATION OF OTHER RESOLUTIONS

Senate Concurrent Resolution No. 18 was taken up in its order, and the consideration thereof was informally passed.

#### SPECIAL AND CONTINUING ORDER

Senate Bill No. 413 was taken up in its order, pending roll call, and the further consideration thereof was informally passed.

The following message from the Governor was received:

STATE OF FLORIDA  
EXECUTIVE DEPARTMENT  
TALLAHASSEE  
May 17, 1937

Honorable D. Stuart Gillis,  
President of the Senate,  
Tallahassee, Florida.  
Sir:

I have the honor to inform you that I have today caused the following Act which originated in your Honorable Body to be filed in the office of the Secretary of State, the same

having remained in this office for the full Constitutional period of five days and will become a law without my approval:

Senate Bill No. 366: Relating to Putnam County.

Respectfully yours,

FRED P. CONE,  
Governor.

Senator Holland moved that the consideration of Senate Bill No. 108 be postponed until after consideration and disposition of Senate Bill No. 399.

Which was agreed to and it was so ordered.

Senator Tillman moved that the rules be waived and House Committee Substitute for House Bills Nos. 27 and 37 be taken up, out of its order, at this time.

The question was put on the adoption of the motion made by Senator Tillman.

Upon which a roll call was demanded.

Upon the adoption of the motion the roll was called and the vote was:

Yeas—Mr. President; Senators Beacham, Beall, Butler, Gomez, Graham, Harper, Hinely, Holland, Johns, Kanner, Kelly, McKenzie, Parker, Parrish, Rose, Sharit, Sweger, Tervin, Tillman, Touchton, Westbrook—22.

Nays—Senators Adams, Clarke, Coulter, Dame, Dugger, Hodges, Kendrick, McArthur, Mapoles, Murphy, Nordman, Savage, Smith, Walker, Wynn—15.

Which was not agreed to by the necessary two-thirds vote.

Senate Bill No. 399:

A bill to be entitled An Act making it unlawful to manufacture, own, store, keep, possess, sell, rent, lease, let, lend, give away, use or operate slot machines or similar devices operated by coin or otherwise; defining such devices; providing for their seizure and destruction and providing for the forfeiture of money and other things of value therein; providing when possession and operation shall be a nuisance; providing liens on buildings and property in or upon which said devices shall be possessed, maintained or operated; providing for injunctions restraining operation, removal or possession of same and prescribing the penalties for the violation of the provisions of this Act.

Was taken up in its order and read the second time in full.

Senator Hodges offered the following amendment to Senate Bill No. 399:

In Section 7, line 5 (typewritten bill), after the word: nuisance strike out the rest of Section 7 and insert in lieu thereof the following:

That any person violating any of the provisions of the foregoing Act shall upon conviction thereof be deemed guilty of a misdemeanor and punished by a fine of not more than One Hundred Dollars or imprisonment of not more than three months in the County Jail; provided, further that any person convicted of violating any provision of the foregoing Act a second time, shall, upon conviction thereof be deemed a second offender and guilty of a misdemeanor and shall be punished by a fine of not more than Five Hundred Dollars or imprisonment of not more than six months in the County Jail; provided further that any person violating any provision of the foregoing Act after having been twice convicted already, shall upon conviction thereof be deemed a "common offender" and shall be deemed guilty of a felony and punished by a fine of not more than One Thousand Dollars or imprisonment of not more than one year.

Senator Hodges moved the adoption of the amendment.

The question was put on the adoption of the amendment offered by Senator Hodges to Senate Bill No. 399.

Upon which a roll call was demanded.

Upon the adoption of the amendment offered by Senator Hodges to Senate Bill No. 399, the roll was called and the vote was:

Yeas—Senators Adams, Beall, Clarke, Coulter, Dame, Dugger, Hodges, Kelly, Kendrick, McArthur, Mapoles, Nordman, Parker, Savage, Smith, Sweger, Tervin, Walker, Wynn—19.

Nays—Mr. President; Senators Beacham, Butler, Gomez, Graham, Harper, Hinely, Holland, Johns, Kanner, Parrish, Rose, Sharit, Tillman, Touchton, Westbrook—16.

So the amendment was adopted.

Senator Mapoles offered the following amendment to Senate Bill No. 399:

Immediately after Section 9, add section to be known as Section 9-A, as follows:

This Act shall not apply to any county unless an election has been held under the provisions of Chapter 17257, of the Laws of 1935, to determine whether or not licenses should be issued thereafter in such counties and shall not apply to any such counties unless it has been officially determined by the official canvass of the votes cast at said election that a majority of same were cast for the cancelling, nulling and revoking of licenses issued for the operation of machines described in Chapter 17257, of the Laws of 1935; and shall not apply to any such county unless the results of such elections have been officially proclaimed. Provided, however, in event an election shall hereafter be held as provided in Chapter 17257 and a majority of those voting at said election shall cast their ballots for the cancelling, annulling and revoking of licenses issued for the operation of machines described in Chapter 17257, of the Laws of 1935, this Act shall apply to said counties from and after the first day of October succeeding said election.

Senator Mapoles moved the adoption of the amendment.

The question was put on the adoption of the amendment offered by Senator Mapoles to Senate Bill No. 399.

Upon which a roll call was demanded.

Upon the adoption of the amendment offered by Senator Mapoles to Senate Bill No. 399, the roll was called and the vote was:

Yeas—Senators Adams, Gomez, Hodges, Kendrick, Mapoles, Smith, Walker—7.

Nays—Mr. President; Senators Beacham, Beall, Butler, Clarke, Coulter, Dame, Dugger, Graham, Harper, Hinely, Holland, Johns, Kanner, Kelly, McArthur, McKenzie, Nordman, Parker, Parrish, Rose, Savage, Sharit, Sweger, Tervin, Tillman, Touchton, Westbrook, Wynn—29.

So the amendment failed of adoption.

Senator Tillman moved that the rules be waived and Senate Bill No. 399, as amended, be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 399, as amended, was read the third time in full.

Upon the passage of the bill, as amended, the roll was called and the vote was:

Yeas—Mr. President; Senators Adams, Beacham, Beall, Butler, Clarke, Coulter, Dame, Dugger, Gomez, Graham, Harper, Hinely, Hodges, Holland, Johns, Kanner, Kelly, McArthur, McKenzie, Nordman, Parker, Parrish, Rose, Savage, Sharit, Smith, Sweger, Tervin, Tillman, Touchton, Westbrook, Wynn—33.

Nays—Senators Mapoles, Walker—2.

So the bill passed, as amended, and was referred to the Committee on Engrossed Bills.

The following pair was announced on Senate Bill No. 399:

I am paired with Senator Black. If he were present he would vote "aye" and I would vote "no."

PETER KENDRICK.

#### SENATE BILLS ON THIRD READING

Senate Joint Resolution No. 292 was taken up in its order, and the consideration thereof was informally passed.

Senate Bill No. 331:

A bill to be entitled An Act for the relief of L. S. Oliver.

Was taken up in its order and read the third time in full.

Pending roll call, Senator Butler moved that the rules be waived and the further consideration of Senate Bill No. 331 be informally passed.

Which was agreed to by a two-thirds vote and it was so ordered.

Senate Bills Nos. 362 and 363 were taken up in their order and the consideration thereof was informally passed.

Senate Bill No. 150:

A bill to be entitled An Act to amend Section 5995, Revised General Statutes of Florida, 1920, same being Section 8289, Compiled General Laws of Florida, 1927, and to repeal Section



5996, Revised General Statutes of Florida, 1920, same being Section 8290, Compiled General Laws of Florida, 1927, both being Laws fixing and prescribing the power and jurisdiction of Justices of the Peace to try, and determine misdemeanors committed in their respective districts. The effect of this Act being to abolish trial jurisdiction of misdemeanors in Justices of the Peace, and to vest same in County Judge; and providing that all proceedings now pending in the Justice of Peace Courts shall not be affected by this Act.

Was taken up in its order and read the third time in full. Senator Wynn moved that the time of adjournment be extended fifteen (15) minutes.

Which was agreed to and it was so ordered.

Upon the passage of Senate Bill No. 150 the roll was called and the vote was:

Yeas—Mr. President; Senators Beacham, Beall, Clarke, Dame, Dugger, Graham, Harper, Holland, Johns, Kanner, Kendrick, McKenzie, Mapoles, Murphy, Rose, Sharit, Tillman, Touchton, Wynn—20.

Nays—Senators Adams, Coulter, Hinely, Hodges, Kelly, McArthur, Nordman, Parker, Parrish, Savage, Sweger, Tervin, Walker, Westbrook—14.

So the bill passed, title as stated, and the action of the Senate was ordered to be certified to the House of Representatives immediately by waiver of the rule.

Senator Westbrook, as Chairman of the Committee on Rules and Calendar, moved that Senate Bills Nos. 108, 726, 431, 533, 99, 418, 617 and 843 be made Special and Continuing Orders for consideration by the Senate, in the order mentioned, when the Senate convenes at the Afternoon Session.

Which was agreed to and it was so ordered.

Senator Westbrook moved that the rules be waived and when the Senate adjourns at this Session it recess until 3:00 o'clock P. M., this day.

Which was agreed to by a two-thirds vote and it was so ordered.

The hour of adjournment having arrived a point of order was called and the Senate took a recess at 1:19 o'clock P. M. until 3:00 o'clock P. M. this day.

## AFTERNOON SESSION

The Senate reconvened at 3:00 P. M. pursuant to recess order.

The President in the Chair.

The roll was called and the following Senators answered to their names:

Mr. President; Senators Adams, Beacham, Beall, Butler, Clarke, Coulter, Dame, Dugger, Gomez, Graham, Harper, Hinely, Hodges, Holland, Johns, Kanner, Kelly, Kendrick, McArthur, McKenzie, Mapoles, Murphy, Nordman, Parker, Parrish, Rose, Savage, Sharit, Smith, Sweger, Tervin, Tillman, Touchton, Walker, Westbrook, Wynn—37.

A quorum present.

By permission the following Report of Committee was filed:

### REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Senator McKenzie, Chairman of the Joint Committee on Enrolled Bills on the Part of the Senate, submitted the following report:

Senate Chamber,  
Tallahassee, Fla., May 17, 1937.

*Hon. D. Stuart Gillis,*  
*President of the Senate.*

Sir:

Your Joint Committee on Enrolled Bills, to whom was referred:

Senate Bill No. 49:

A bill to be entitled An Act for the relief of Mrs. Lottie Lague, of Pensacola, Escambia County, Florida.

Also—

Senate Bill No. 136:

A bill to be entitled An Act to abolish the present municipal government of the City of Lake Helen, in Volusia County, Florida, and to create, establish and organize a municipality to be known and designated as the City of Lake Helen, and to define its territorial boundaries and

provide for its government, jurisdiction, powers, franchises and privileges.

Also—

Senate Bill No. 320:

A bill to be entitled An Act relating to commissions of County Assessors for Taxes for assessing special taxes and special tax district taxes in counties having a population between 13,354 and 13,400.

Also—

Senate Bill No. 397:

A bill to be entitled An Act relating to the compensation of the Clerk of the Circuit Court for services performed in suits or proceedings before the Circuit Court in all counties of the State of Florida having a population of not less than Fifty-Eight Thousand and not more than One Hundred Thousand according to the last or any future official State census.

Also—

Senate Bill No. 524:

A bill to be entitled An Act authorizing the City of St. Augustine, Florida, to collect current, unpaid or omitted taxes and unredeemed Tax Certificates, and providing and prescribing the method and manner of collecting same.

Also—

Senate Bill No. 542:

A bill to be entitled An Act repealing Section 101 of the City Charter of the City of St. Augustine, Florida, the same being Article 5, Section 21 of Chapter 13,349, of the Laws of Florida, A. D. 1927, the same being amended by Section 21 of Chapter 14,375 of the Laws of Florida, A. D. 1929; and to create a new Section 101 of said City Charter of the City of St. Augustine, Florida, by establishing, creating and providing for the position and office of the city tax assessor of the City of St. Augustine, Florida; and amending Section 95 of the City Charter, being Section 17 of Chapter 14,375, of the Laws of Florida, A. D. 1929, as amended by Section 2 of Chapter 16,657 of the Laws of Florida, A. D. 1933; and amending Sections 102, 103, 104, 107, 108, 109, 114, 116 117, 119, 134, 135, 136, 138, and 141 of Chapter 14,375 of the Laws of Florida, A. D. 1929; and amending Section 129 of the said City Charter, being Section 45 of Chapter 14,375 of the Laws of Florida, A. D. 1929, as amended by Section 5 of Chapter 15,500 of the Laws of Florida, A. D. 1931.

Also—

Senate Bill No. 543:

A bill to be entitled An Act authorizing the creation of a Municipal Delinquent Special Assessment Board in the City of St. Augustine, Florida; prescribing their powers, duties and limitations; prescribing the length of time such board shall stay in existence; providing for a chairman and secretary and authorizing said board to adjust, settle and compromise special assessments.

Also—

Senate Bill No. 569:

A bill to be entitled An Act to authorize, ratify, confirm and validate the dredging of a ship channel in St. Joseph's Bay within the City of Port St. Joe, Florida, by said city and the issuance for that purpose of certain bonds of said city.

Also—

Senate Bill No. 570:

A bill to be entitled An Act to authorize, ratify, confirm and validate the purchase, ownership, holding, operating, leasing, selling or otherwise disposing of a dock by the City of Port St. Joe, Florida, and the issuance for that purpose of the purchase thereof of certain bonds of said city.

Also—

Senate Bill No. 571:

A bill to be entitled An Act to authorize and empower the City of Port St. Joe, Florida, to issue bonds of said city in a principal amount not in excess of two hundred fifty thousand dollars (\$250,000) for the purpose of retiring water and sewer revenue debentures of said City of Port St. Joe in the amount of two hundred thousand dollars (\$200,000), and for the purpose of completing and extending the water-works and sewer system of said City of Port St. Joe, and to provide the manner of the execution and sale of said

bonds and to provide for the payment thereof and providing for an election to determine whether said bonds shall be issued or not.

Also—

Senate Bill No. 572:

A bill to be entitled An Act authorizing Gulf County, Florida, to acquire the right-of-way for and construct and maintain a canal connecting St. Joseph's Bay and the Apalachicola-St. Andrews Inter-Coastal Canal in said county, and to issue bonds for that purpose; providing for an election to determine whether said bonds shall be issued or not; authorizing the Board of County Commissioners of said county to enter into contracts with the United States of America or any agency or branch thereof for the purpose of securing funds for, or assistance in, the acquisition of such right-of-way or the Construction or Maintenance of said canal, or the refund of any sums which may have been expended therefor; and authorizing said board to transfer said canal or the right-of-way therefor or any part thereof to the United States of America or any agency or branch thereof at any time.

Also—

Senate Bill No. 582:

A bill to be entitled An Act amending Section 3 of the Revised Charter of the City of Tampa, Florida, and creating the office of Chief of Detectives of the City of Tampa, Florida.

Also—

Senate Bill No. 588:

A bill to be entitled An Act to empower the Board of County Commissioners in any county having a population of not less than 180,000, according to the last preceding State Census to regulate and restrict within territory in said counties, not included in any municipality, the height, number of stories and size of buildings and other structures on land and water, the percentage of lot that may be occupied, the size of yards, courts and other open spaces, the density of population, the use of land for junk yards and automobile trailer camps and the location and use of buildings, structures and land for trade, industry, residence or other specific use of the premises; providing for the division of such counties into districts and within such districts to regulate and restrict the erection and construction, alteration, repair or use of buildings; providing for method of procedure; providing for the appointment of a Zoning Commission and a Board of Adjustment; providing for remedies and penalties for violation of this Act or of any order or resolution made under authority conferred hereby and conferring upon the County Commissioners of such county so far as may be lawfully conferred the power to prescribe and enforce regulations to effectuate the purposes of this Act.

Also—

Senate Bill No. 620:

A bill to be entitled An Act relating to Pelican Lake Sub-Drainage District, a drainage district organized and existing under the Laws of Florida, and embracing lands within Palm Beach County; declaring the existence of said district and validating the creation thereof, declaring its boundaries and providing for its perpetual existence; authorizing the construction of certain improvements and the making of repairs to existing works; creating a unit within said district to be known as Unit No. 1, creating certain funds for the monies of the District and Unit No. 1 thereof and providing for what purposes such funds may be expended; providing for the levy, assessment and collection of annual taxes and assessments; ratifying, confirming and validating certain Acts of the Board of Supervisors, Agents, Receivers and Officers of the District; cancelling and annulling certain annual taxes and assessments heretofore levied for said district and said Unit No. 1 thereof and the liens representing such taxes and assessments; and authorizing the issuance of bonds for the purpose of refunding the existing indebtedness of the District and Unit No. 1 thereof and providing procedure therefor.

Also—

Senate Bill No. 621:

A bill to be entitled An Act relating to Pahokee Drainage District, a drainage district organized and existing under the Laws of Florida and embracing lands within Palm Beach County and relating to the East Unit and West Unit of said District; amending Sections 4, 5, and 6 of Chapter 13715, Laws of Florida, Acts of 1929, relating to Pahokee Drainage

District; creating certain funds for the monies of the district and the East and West Units thereof and providing for what purposes such funds may be expended; providing for the levy, assessment, and collection of annual taxes and assessments; ratifying, confirming and validating certain Acts of the Board of Supervisors, agents, receivers, and officers of the district; cancelling and annulling certain annual taxes and assessments heretofore levied for said district and the East and West Units thereof and the liens representing such taxes and assessments; and authorizing the issuance of bonds for the purpose of refunding the existing indebtedness of the district and the East Unit of the district and providing procedure therefor.

Also—

Senate Bill No. 631:

A bill to be entitled An Act enlarging the Charter powers of the Town of Largo, a municipal corporation, located in Pinellas County, Florida.

Also—

Senate Bill No. 640:

A bill to be entitled An Act ratifying, confirming, validating and legalizing the assessments, valuations of properties and levies of taxes made by the Town of Crescent City, Putnam County, Florida, for the year, A. D. 1926, 1927, 1928, 1929, 1930, 1931, 1932, 1933, 1934 and 1935, and authorizing the collection of said taxes in the manner provided by law.

Also—

Senate Bill No. 645:

A bill to be entitled An Act to authorize the Board of County Commissioners of Lake County to borrow in anticipation of tax collections; providing the maximum amount of money that may be borrowed in any one year and the maximum amount of interest that may be paid thereon.

Also—

Senate Bill No. 646:

A bill to be entitled An Act to provide for the disposition of funds received by Gulf County from race track funds received under the provisions of Chapter 14832, Laws of Florida, Acts of 1931, or any Acts amendatory or supplementary thereto, or any other race track Acts.

Also—

Senate Bill No. 773:

A bill to be entitled An Act to prohibit the erection, maintenance or operation of any filling station, public garage, restaurant, mercantile establishment, or any business enterprise or establishment of any nature or character whatsoever, or any billboard, commercial sign or any signs of any nature whatsoever except direction signs, within 330 feet of the street line on either side of that portion of Sanctuary Boulevard, Lake Wales, Florida, to-wit: Beginning at the intersection of Lake Shore Boulevard and North Boulevard at the southwest corner of the Athletic Park, and running thence in an easterly direction along said Lake Shore Boulevard to Tenth Street, thence north along Tenth Street north, to the north line of the Seaboard Airline Railroad right of way, thence in a northeasterly direction to North Avenue, thence north to the north city limits; and to prohibit the erection of any billboards, commercial signs or any signs of any nature whatsoever except direction signs and signs advertising the business or businesses on the premises where such business or businesses are located, for 330 feet of the street line on either side of that portion of said Sanctuary Boulevard, to-wit: Beginning at the intersection of Lake Shore Boulevard and North Boulevard at Southwest corner of the Athletic Park and run thence along Lake Shore Boulevard to Park Avenue, thence south to Central Avenue, thence west along Central Avenue to Walker Street, thence in a westerly direction along West Sanctuary Boulevard to west city limits and to declare the same to be a nuisance and against the public welfare of the City of Lake Wales; and providing a penalty for violation thereof.

Also—

Senate Bill No. 774:

A bill to be entitled An Act authorizing the Boards of County Commissioners of the several counties under certain conditions to act as Trustees of the Capital Stock of Corporations engaged in the operation of hospitals; prescribing



the conditions under which they may act as Trustees, permitting the creation of such trusts and establishing the validity thereof.

But leave to report that the same have this day been presented to the Governor for his approval.

Very respectfully,

H. S. McKENZIE,

Chairman of the Joint Committee on Enrolled Bills  
on the Part of the Senate.

Senator McKenzie, Chairman of the Joint Committee on Enrolled Bills on the part of the Senate, submitted the following report:

Senate Chamber,  
Tallahassee, Fla., May 17, 1937.

Hon. D. Stuart Gillis,  
President of the Senate.

Sir:

Your Joint Committee on Enrolled Bills, to whom was referred:

Committee Substitute for House Bill No. 87:

A bill to be entitled An Act requesting the taking over and maintenance by the State Road Department of Florida of that part of State Road No. 210 beginning at a point thereon at Tarrytown, Sumter County, Florida, thence easterly over the present paved road via Linden, Mabel, Center Hill to Okahumpka, Florida.

Also—

House Bill No. 515:

A bill to be entitled An Act to declare, designate and establish a certain State road in Gadsden County and Leon County, Florida.

Also—

House Bill No. 562:

A bill to be entitled An Act to declare, designate and establish a certain State road in Palm Beach County.

Also—

House Bill No. 613:

A bill to be entitled An Act to declare, designate and establish a certain State road in Leon County, Florida.

Also—

House Bill No. 632:

A bill to be entitled An Act to more particularly designate and locate that part of State Road No. 40 that lies south of Worthington Springs, Florida.

Also—

House Bill No. 650:

A bill to be entitled An Act to declare, designate, and establish a certain State road in Glades County, Florida.

Also—

House Bill No. 666:

A bill to be entitled An Act to designate and establish as a State road that certain road extending from a point on the Seminole-Orange County line 1009.8 feet south of the northeast corner of the SE¼ of Section 12, Township 21 South, Range 28 east, thence westerly 2.33 miles to intersection with State Road No. 2 at Apopka, Orange County, Florida.

Also—

House Bill No. 697:

A bill to be entitled An Act to redesignate and re-establish Road No. 68-A.

Also—

House Bill No. 703:

A bill to be entitled An Act requiring the payment of interest on delinquent taxes due the City of New Port Richey, Florida; providing a plan of equalization when adjustments of discounts are made on such delinquent taxes; and repealing all laws and parts of laws in conflict herewith.

Also—

House Bill No. 752:

A bill to be entitled An Act relating to the distribution and

expenditure of monies derived from the gasoline taxes and placed to the credit of Hamilton County, Florida, and provided to be returned to said county under the provisions of Chapter 15659, Laws of Florida, Acts of 1931, and granting certain powers, authorities, duties, and directions upon the State Board of Administration in connection therewith and with reference thereto.

Also—

House Bill No. 819:

A bill to be entitled An Act declaring, establishing and designating a State Road to be known as State Road No. 80—A extending from Keystone Heights to Melrose and Hawthorne.

Also—

House Bill No. 820:

A bill to be entitled An Act to legalize, ratify, confirm and validate the Acts and proceedings of the Town of Dundee, Polk County, Florida, and its Town Commission, officers and agents relating to the issuance of refunding bonds in the sum of \$75,800.00, issued in accordance with the Resolution adopted by the Town Commission on the 11th day of December, A. D. 1935.

Also—

House Bill No. 831:

A bill to be entitled An Act to authorize and empower the Board of County Commissioners of Dade County, Florida, to levy upon all real and personal property subject to taxation within Dade County, Florida, beginning with the year A. D. 1937, an annual tax in addition to all other taxes not to exceed one-half mill which shall be assessed and collected as other taxes are assessed and collected, the proceeds of which tax shall be paid into the Agricultural and Live Stock Fund of Dade County, Florida, said special tax to be in addition to the one-half mill tax for said fund authorized by Chapter 15786, Acts of 1931, extraordinary Session.

Also—

House Bill No. 833:

A bill to be entitled An Act authorizing the City Council of the City of Fellsmere, Florida, to adjust delinquent City Taxes and outstanding improvement liens, and prescribing the conditions under which such adjustments may be made and the method of procedure.

Also—

House Bill No. 860:

A bill to be entitled An Act to prohibit the hunting or taking, within Columbia County, State of Florida, of all game, game birds, or fur-bearing animals, as herein defined, except on certain stated days during the open season for hunting; to provide penalties for violation of the provisions hereof; and to provide for the enforcement hereof.

Also—

House Bill No. 879:

A bill to be entitled An Act to extend State Road No. 68 from Century west to connect with State Road No. 87 at or near Davisville in Escambia County, Florida.

Also—

House Bill No. 891:

A bill to be entitled An Act relating to the distribution and expenditure of money derived from gasoline taxes placed to the credit of Wakulla County, Florida, and conferring certain powers, authorities, duties and direction upon the State Board of Administration with reference thereto.

Also—

House Bill No. 892:

A bill to be entitled An Act relating to the transfer, distribution and expenditure of money already derived from gasoline taxes for the benefit of Wakulla County, Florida, and directing the surrender of said funds by any person or officer having custody thereof to the Road and Bridge District of Wakulla County, Florida.

Also—

House Bill No. 917:

A bill to be entitled An Act amending Section 1, Article 6, Chapter 5864, Laws of Florida 1907, relating to elections in the City of Wauchula.

Also—

House Bill No. 918:

A bill to be entitled An Act amending Section 3, of Chapter 14,464, Laws of Florida, Acts of 1920, relating to the election, qualification and duties of the City Clerk of the City of Wauchula.

Also—

House Bill No. 927:

A bill to be entitled An Act to designate and establish a portion of State Road No. 206 in Brevard County, Florida, as a part of State Road No. 219, and extending State Road No. 219.

Also—

House Bill No. 928:

A bill to be entitled An Act to amend Section 1 of Chapter 14,450, Laws of Florida, Acts of 1929, the same being an Act to amend Section 1 of Article 3, and Section 2 of Article 4, and Section 1 of Article 12, all of Chapter 5864, of the Laws of Florida, Acts of 1907, and fixing the term of office of the Mayor of the City of Wauchula, and providing his compensation.

Also—

House Bill No. 932:

A bill to be entitled An Act amending Section 6, of Chapter 14,464, Laws of Florida, Acts of 1929, relating to the duties of the tax assessor of the City of Wauchula, and providing the powers and duties of the City Council with respect to assessment of property for taxation in said city.

Also—

House Bill No. 948:

A bill to be entitled An Act to declare, designate and establish a certain State road.

Also—

House Bill No. 952:

A bill to be entitled An Act to provide for the appropriation, distribution and use of money received by Wakulla County, Florida, under Chapter 14,832, Laws of Florida, Acts of 1931.

Also—

House Bill No. 953:

A bill to be entitled An Act fixing the compensation of the members of the Board of Public Instruction of Wakulla County, Florida.

Also—

House Bill No. 954:

A bill to be entitled An Act fixing the compensation of members of the Board of County Commissioners of Wakulla County, Florida.

Also—

House Bill No. 988:

A bill to be entitled An Act to designate and establish a certain road in Pinellas County as a State road.

Also—

House Bill No. 989:

A bill to be entitled An Act to authorize the City of Fernandina in Nassau County, Florida, to issue bonds to the amount of One Hundred and Seventy-five Thousand Dollars for municipal improvements, to levy and collect annually sufficient taxes for payment of the principal and interest thereof, and to validate proceedings heretofore had in connection therewith.

Also—

House Bill No. 990:

A bill to be entitled An Act to amend Sections 7, 22 and 107 of the Charter of the City of Fernandina, County of Nassau, State of Florida, the same being Chapter 8940 of the Laws of Florida.

Also—

House Bill No. 994:

A bill to be entitled An Act to declare, designate and establish a certain State road in Broward County, Florida.

Also—

House Bill No. 998:

A bill to be entitled An Act to declare, designate and establish a certain State road in Broward County, Florida.

Also—

House Bill No. 999:

A bill to be entitled An Act to re-designate State Road No. 165 as heretofore designated and to repeal Chapter 17,330, Acts of 1935.

Also—

House Bill No. 1003:

A bill to be entitled An Act to declare, designate and establish a certain State road in Broward County, Florida.

Also—

House Bill No. 1028:

A bill to be entitled An Act providing for complete re-registration of all voters of Glades County, Florida; setting forth the duties of certain officials with reference to such re-registration, and authorizing the appropriation and expenditure of public funds for expense in connection therewith.

Also—

House Bill No. 1034:

A bill to be entitled An Act to establish a game preserve in a certain portion of Nassau County, and to prohibit the hunting or taking of wild game or birds in such preserve for a period of five years.

Also—

House Bill No. 1036:

A bill to be entitled An Act to authorize the exchange of refunding bonds of the City of Miami which are held as an investment of capital funds of the City, for new refunding bonds of the City, and authorizing the sale of such new refunding bonds.

Also—

House Bill No. 1041:

A bill to be entitled An Act regulating the taking of fish from the waters of a certain portion of the Anclote River and its tributaries or any bayou, bay or other body of water connecting or emptying into the Anclote River in Pinellas County, Florida, and providing for a penalty for the violation of this Act.

Also—

House Bill No. 1052:

A bill to be entitled An Act to amend Section One (1) of Chapter 13,193 of the Statutes of the State of Florida, being An Act entitled: "An Act making it unlawful for livestock to run at large within a certain portion of Orange County."

Also—

House Bill No. 1076:

A bill to be entitled An Act to authorize, ratify, confirm and validate the dredging of a ship channel in St. Joseph's Bay within the City of Port St. Joe, Florida, by said city and the issuance for that purpose of certain bonds of said city.

Also—

House Bill No. 1080:

A bill to be entitled An Act to authorize, ratify, confirm and validate the purchase, ownership, holding, operating, leasing, selling or otherwise disposing of a dock by the City of Port St. Joe, Florida, and the issuance for that purpose thereof of certain bonds of said city.

Also—

House Bill No. 1081:

A bill to be entitled An Act to provide for the disposition of funds received by Gulf County from race track funds received under the provisions of Chapter 14,832, Laws of Florida, Acts of 1931, or any acts amendatory or supplementary thereto, or any other race track acts.

Also—

House Bill No. 1129:

A bill to be entitled An Act to validate and confirm the

assessment and levy of taxes and all interest, attorneys fee charges, penalties and expenses thereon accruing made by the town of Green Cove Springs, Florida, for the years 1911 to 1936, inclusive.

Also—

House Bill No. 1131:

A bill to be entitled An Act providing for the appointment of a municipal judge of the City of Hollywood, Florida.

Also—

House Bill No. 1149:

A bill to be entitled An Act legalizing and taking of fresh water fish by means of gigs in certain waters of Calhoun County.

Beg leave to report that the same have this day been presented to the Governor for his approval.

Very respectfully,

H. S. MCKENZIE,

Chairman of the Joint Committee on Enrolled Bills  
on the Part of the Senate.

Pursuant to the motion made by Senator Westbrook, Chairman of the Committee on Rules and Calendar, at the morning Session, this day, the following bills were taken up as Special Orders:

Senate Bill No. 108:

A bill to be entitled An Act to amend Sections Two (2), Four (4), Seven (7), Nine (9) and Thirteen (13) and to repeal Section Six (6) and Eight (8) of Chapter 16848, Laws of Florida, Acts of 1935, the same being entitled "An Act to provide for the relief of the public free schools of the State of Florida by raising revenue for the county school fund by levying and imposing a tax upon the privilege of operating a store or stores within this State, to classify such stores for the purpose of such taxation and of graduating the tax in accordance with the number of stores operated under a single ownership, management or control, to declare the public policy on which this Act is founded; to provide for the administration and enforcement of this Act and for the promulgation and enforcement of rules and regulations to facilitate such enforcement; to provide for the creation and enforcement of a lien upon the property of persons liable for the payment of such tax; to provide penalties for the violation of this Act and of rules or regulations lawfully made under the authority hereof; to repeal conflicting laws, expressly but on condition including Chapter 16071, Laws of Florida of 1933; and to appropriate the revenues derived hereunder;" to repeal all portions of said Chapter 16848, Laws of Florida, Acts of 1935, imposing a License Tax upon retailers, as defined in said Act, based upon the gross receipts of their business.

Was taken up and read the second time in full.

Senator Savage offered the following amendment to Senate Bill No. 108:

In Section 2, Page 4 (printed bill) sub-paragraph "F" line 14 after the word "products" strike the period and quotation mark and add the following: "nor liquor vendors' places of business duly licensed under Chapter 16774, Acts of 1935, or other laws regulating the sale of intoxicating liquors."

Senator Savage moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

Senator McArthur offered the following amendment to Senate Bill No. 108:

On page 4 in quoted Sub-section F, lines 11-14, inclusive, of the printed bill strike out the following words: Provided, however, the term 'store' and 'mercantile establishment' shall not include bulk plants or filling stations engaged exclusively in the sale of gasoline and other petroleum products. And insert in lieu thereof the following: Provided, however, the term 'store' and 'mercantile establishment' shall not include bulk plants, filling stations or movable vehicles if at least 80% of the gross business done at such bulk plants, filling stations or movable vehicles consists of sales of gasoline and other petroleum products.

Senator McArthur moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

Senator Savage offered the following amendment to Senate Bill No. 108:

In Section 8, line 2 (printed bill), after the word: "person" insert the following: "excepting liquor vendors duly licensed under Chapter 16774, Acts of 1935, or other laws regulating the sale of intoxicating liquors if not having been the inten-

tion of said Chapter 16848 Laws of Florida, Acts of 1935 to tax such liquor vendors."

Senator Savage moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

Senator Beacham offered the following amendment to Senate Bill No. 108:

Insert new Section 8A as follows: "Section 8. The Comptroller is authorized and directed to refund any interest or penalty he may have collected under the provisions of Chapter 16848, Laws of Florida, Acts of 1935, and the Comptroller of the State of Florida shall be without authority to collect any taxes or penalties accruing prior to the effective date of this Act."

Senator Beacham moved the adoption of the amendment.

The question was put on the adoption of the amendment offered by Senator Beacham to Senate Bill No. 108.

Upon which a roll call was demanded.

Upon the adoption of the amendment offered by Senator Beacham to Senate Bill No. 108 the roll was called and the vote was:

Yeas—Senators Beacham, Gomez, Graham, McKenzie, Nordman, Savage, Tervin—7.

Nays—Mr. President; Senators Adams, Beall, Butler, Clarke, Coulter, Dame, Dugger, Harper, Hinely, Hodges, Holland, Johns, Kanner, Kelly, Kendrick, McArthur, Mapoles, Murphy, Parker, Parrish, Rose, Sharit, Tillman, Touchton, Walker, Westbrook, Wynn—28.

So the amendment failed of adoption.

Senator Holland moved that the rules be waived and Senate Bill No. 108, as amended, be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 108, as amended, was read the third time in full.

Senator Gomez now in the Chair.

Pending roll call on Senate Bill No. 108, Senator Butler moved that the rules be waived and the further consideration of Senate Bill No. 108, as amended, be postponed until Monday, May 24, 1937, at 11:00 o'clock A. M.

Upon which a roll call was demanded.

Upon the adoption of the motion made by Senator Butler the roll was called and the vote was:

Yeas—Senators Butler, Clarke, Dugger, Harper, Hinely, Kendrick, McArthur, Murphy, Tervin, Walker—10.

Nays—Mr. President; Senators Adams, Beacham, Beall, Coulter, Dame, Gomez, Graham, Harper, Hodges, Holland, Johns, Kanner, Kelly, McKenzie, Parker, Parrish, Savage, Sharit, Smith, Sweger, Tillman, Touchton, Westbrook, Wynn—24.

Which was not agreed to.

The question recurred on the passage of Senate Bill No. 108, as amended.

Upon the passage of Senate Bill No. 108, as amended, the roll was called and the vote was:

Yeas—Mr. President; Senators Adams, Butler, Coulter, Dame, Dugger, Gomez, Graham, Harper, Hodges, Holland, Johns, Kanner, Kelly, McKenzie, Mapoles, Murphy, Parker, Parrish, Rose, Savage, Sharit, Sweger, Tervin, Tillman, Touchton, Westbrook, Wynn—28.

Nays—Senators Beacham, Beall, Clarke, Hinely, Kendrick, McArthur, Walker—7.

So the bill passed, as amended, and was referred to the Committee on Engrossed Bills.

Senator Tillman moved that the rules be waived and the Senate do now reconsider the vote by which Senate Bill No. 399, as amended, passed the Senate this day.

The President put the question.

Which was agreed to by a two-thirds vote, and the Senate reconsidered the vote by which Senate Bill No. 399, as amended, passed the Senate this day.

The question recurred on the passage of Senate Bill No. 399.

Pending roll call, Senator Hodges moved that the rules be waived and the Senate do now reconsider the vote by which the following amendment to Senate Bill No. 399 was adopted by the Senate this day:

In Section 7, line 5 (typewritten bill), after the word "nuisance," strike out the rest of Section 7 and insert in lieu thereof the following: That any person violating any of the provisions of the foregoing Act shall upon conviction thereof be deemed

guilty of a misdemeanor and punished by a fine of not more than one hundred dollars or imprisonment of not more than three months in the county jail; provided, further, that any person convicted of violating any provision of the foregoing Act a second time shall, upon conviction thereof be deemed a second offender and guilty of a misdemeanor and shall be punished by a fine of not more than five hundred dollars or imprisonment of not more than six months in the county jail; provided further, that any person violating any provision of the foregoing Act after having been twice convicted already, shall upon conviction thereof be deemed a "common offender" and shall be deemed guilty of a felony and punished by a fine of not more than one thousand dollars or imprisonment of not more than one year.

The President put the question.

Which was agreed to by a two-thirds vote, and the Senate reconsidered the vote by which the Senate adopted the foregoing amendment to Senate Bill No. 399, this day.

The question recurred on the adoption of the foregoing amendment to Senate Bill No. 399.

Pending adoption of the foregoing amendment and by unanimous consent, Senator Tillman offered the following amendment to Senate Bill No. 399:

In Section 7, line 5, after the word "nuisance" strike out the following: and any person who maintains such common nuisance shall be deemed guilty of a felony and upon conviction thereof shall be fined in a sum of not less than one thousand dollars nor more than five thousand dollars, or by imprisonment in the State penitentiary for a period of not less than one year, nor more than five years, or by both such fine and imprisonment.

Senator Tillman moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

Pending the adoption of the amendment offered by Senator Hodges and by unanimous consent, Senator Tillman also offered the following amendment to Senate Bill No. 399:

Strike out all of Section 3, and insert in lieu thereof the following:

"Section 3. That any person violating any of the provisions of the foregoing Act shall upon conviction thereof be deemed guilty of a misdemeanor and punished by a fine of not more than One Hundred Dollars or imprisonment of not more than three months in the County Jail; provided, further that any person convicted of violating any provision of the foregoing Act a second time shall, upon conviction thereof be deemed a second offender and guilty of a misdemeanor and shall be punished by a fine of not more than five hundred

dollars or imprisonment of not more than six months in the County Jail; provided further that any person violating any provision of the foregoing Act after having been twice convicted already, shall upon conviction thereof be deemed a "common offender" and shall be deemed guilty of a felony and punished by a fine of not more than One Thousand Dollars or imprisonment of not more than one year.

Senator Tillman moved the adoption of the amendment.

Pending the adoption of the amendment offered by Senator Tillman to Senate Bill No. 399, Senator Parker offered the following substitute amendment for the amendment offered by Senator Tillman to Senate Bill No. 399:

In Section 3, line 1 (typewritten bill), after the word "violate" strike out the rest of the section and insert therein the following: any of the provisions of this Act, shall upon conviction thereof; be deemed guilty of a misdemeanor, and punished by a fine of not less than two hundred, fifty dollars, (\$250.00), nor more than five hundred dollars, (\$500.00), or by imprisonment in the County jail for a period of not less than three (3) months nor more than six (6) months, or by both such fine and imprisonment;

Provided, further that any person convicted of violating any provision of this Act a second time shall upon conviction thereof; be deemed a second offender and guilty of a misdemeanor, and shall be punished by a fine of not less than five hundred dollars (\$500.00), nor more than seven hundred, fifty dollars, (\$750.00), or by imprisonment in the County jail for a period of not less than six (6) months nor more than eight (8) months, or by both such fine and imprisonment;

Provided, further that any person violating any provision of this Act, after having been twice convicted already, shall upon conviction thereof, be deemed a "common offender," and shall be deemed guilty of a felony, and punished by a fine of not less than one thousand dollars, (\$1000.00), nor more than five thousand dollars (\$5,000.00), or by imprisonment in the State Penitentiary for a period of not less than one (1) year, nor more than five (5) years, or by both such fine and imprisonment.

Senator Parker moved the adoption of the substitute amendment.

The President now presiding.

Pending the adoption of the substitute amendment offered by Senator Parker to the amendment offered by Senator Tillman to Senate Bill No. 399, the hour of adjournment having arrived, a point of order was called and the Senate stood adjourned at 5:01 o'clock P. M. until 11:00 o'clock A. M. Tuesday, May 18, 1937.